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May 20, 1999

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1999 MAY 21 P 4:11
AZ CORP COMMISSION
DOCUMENT CONTROL
INTERVENTION

Reply to Washington D.C. office

VIA FEDERAL EXPRESS

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007-2996

Re: Docket No. E-00000A-99-0205

Dear Docket Control:

Enclosed for filing is an original and ten (10) copies of the Comments and Petition to Intervene of the Center for Energy and Economic Development ("CEED").

In addition, we have enclosed an additional copy of the Comments and Petition to Intervene of CEED to be stamped "filed" and returned to us in the self-addressed envelope we have provided.

Thank you.

Sincerely,

Daneé Gaines
Law Clerk

cc: Service list

ORIGINAL

INTERVENTION
RECEIVED

STATE OF ARIZONA

ARIZONA CORPORATION COMMISSION

1999 MAY 21 P 4: 11

RE: THE GENERIC INVESTIGATION OF THE)
DEVELOPMENT OF A RENEWABLE)
PORTFOLIO STANDARD AS A PORTION)
OF THE RETAIL ELECTRIC COMPETITION)
RULES)

AZ CORP COMMISSION
DOCUMENT CONTROL
DOCKET NO. U-0000A-99-0205

**COMMENTS AND PETITION TO INTERVENE
OF THE CENTER FOR ENERGY AND ECONOMIC DEVELOPMENT**

The Center for Energy and Economic Development (CEED) submits these comments in response to the request for comments dated May 7, 1999. CEED is uncertain whether a petition to intervene is required to file comments in this docket. If so, CEED requests that it be granted intervention. In any event, CEED requests that it be served with any pleadings, issuances or other documents in this docket by mailing a copy to the counsel set forth below.

CEED is a non-profit organization formed by the nation's railroads, coal producing companies, a number of electric utilities and related organizations for the purpose of participating in state and regional regulatory proceedings affecting the utilization of coal by electric utilities. CEED's members include coal producing companies that sell coal to Arizona electric utilities and railroads that transport that coal. A list of CEED members is attached. CEED has participated in the Commission's electric restructuring docket (Docket No. RE-00000C-94-0165). CEED has an interest in how the electric utility market in Arizona is structured and whether, as will be explored in the present docket, a portion of that market is reserved for certain types of electric generators.

The May 7, 1999 request for comments inquired as to the appropriateness of the list of questions set forth therein for exploration in this docket. CEED submits that one key question is missing from the list: "Is it appropriate to have a renewable resource portfolio at all?" CEED urges staff not to consider the establishment of a resource portfolio standard as a foregone conclusion. Instead, this docket should seek a range of comment, including on the basic issue of whether in a restructured, competitive environment it is appropriate for government to mandate certain winners and losers in energy markets. CEED believes the answer to this question should be "no," but in accordance with the request for comments CEED will defer substantive comment until later in these proceedings.

Dated: May 20, 1999

Respectfully submitted,

Terry Ross
Vice President, Western Region
Center for Energy and Economic
Development

Of Counsel:
Peter Glaser
Doherty, Rumble & Butler, PA
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THE CENTER FOR ENERGY & ECONOMIC DEVELOPMENT

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THE CENTER FOR ENERGY & ECONOMIC DEVELOPMENT

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Western Pocahontas Properties

THE CENTER FOR ENERGY & ECONOMIC DEVELOPMENT

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National Coalition for Public Lands
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Virginia Mining Association

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Western Coal Council
Western Kentucky Coal Association
Western States Coalition
Women In Mining:
- Battle Mountain Chapter
- Denver Chapter
- National Organization
- Ohio Chapter
World Coal Institute
Wyoming Mining Association

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing COMMENTS AND PETITION TO INTERVENE OF THE CENTER FOR ENERGY AND ECONOMIC DEVELOPMENT, in Docket No. E-0000A-99-0205, was served via first class mail, this 20th day of May, 1999 to each person on the attached service list.

A handwritten signature in cursive script, reading "Daneé Gaines", written over a horizontal line.

Daneé Gaines

Law Clerk

Doherty Rumble & Butler

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Suite 1100

Washington, D.C. 20005